PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALITMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and make a part hereof, hereby petition for a Variance from Section 409.2 to permit a total of 77 parking spaces in lieu of the required 147 spaces at the American Legion Towson Post (96 spaces are leased in connection with the adjacent 200 Towsontown Boulevard office project) of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) To be determined at hearing 3-10 X Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County, I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Parking Lessee: OOKH KALAROXANA KARK Legal Owner(s)x & Parking Lessor: The American Legion Towson Post 200 Washington Avenue Limited Partnership (Type or Print Name) (Type or)Print Name) (Type or Print Name) City and State torney for Petitioner: hn B. Howard Allegheny Avenue
Box 5517 Name, address and phone number of legal owner, contract purchaser or representative to be contacted wson, Maryland 21204 John B. Howard, Esquire Name 210 Allegheny Ave. P.O. Box 5517 Towson, Maryland 21204 301-823-4111 Attorney's Telephone No.: 301-823-4111 AVAILABLE FOR HEARING MON./TUES. WED - NEXT TWO MONTHS DATE 9-14 OVER REVIEWED BY: C3C CERTIFICATE OF PUBLICATION The Z-sing Commissioner of Bal-timore County, by authority of the Zoning Act and Regulations of Balti-more County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows: TOWSON, MD. Jan. 7 19 88

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Jan. 7, 1988

Case number: 88-273-A

W/S of York Road 288" ±
5 of of or Thereone Blvd.
(200 Town neown Blvd.
(200 Town neown Blvd.)
9th Election District —
4th Councilmanic District
American Legion
Townon Post — Petitioner
DATE/TIME: Monday,
January 25, 1968 at 11:00 a.m.

Variance to permit a total of 77

variance to permit a total of 77 parking spaces in less of the required 147 spaces at the American Legion Towson Port (56 spaces are lessed in connection with the adjacent 200 lowsontowne Blvd. office project). In the event that this Petition is granted, a building manufacture to the project.

granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Communioner will, however, entertain any request for a stay of the insurance of mid permit charing this marine for

must be in writing and received in this office by the date of the hearing

sot above or presented at the hear-

THE JEFFERSONIAN,

PETITION FOR ZONING VARIAL W/S of York Road, 285 +/- S of c/l of Towsontown Blvd. (200 Towsontown Boulevard) 9th Election District 4th Councilmanic District

American Legion Post No. 22

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a zoning variance to permit a total of 77 parking spaces in lieu of the required 147 spaces, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by John E. Young, Chairman of the Property Committee for the American Legion Post No. 22, Inc., appeared, testified and was represented by John B. Howard, Esquire. Michael B. Glick, General Partner of 200 Washington Avenue Limited Partnership, the parking lessee of the subject property, appeared, testified and was also represented by Mr. Howard. Also appearing on behalf of the Petition were J. Strong Smith., a professional engineer with George W. Stephens, Jr., & Associates, Inc. and Wes Guckert of the Traffic Group. There were no Protestants.

Testimony indicated that the subject property is zoned B.M. and is located off of Towsontown Boulevard. Mr. Young testified that the American Legion Post No. 22 has entered into a lease agreement for parking spaces with the 200 Washington Avenue Limited Partnership, which is currently completing construc-Ttion of an office building directly across the street within 500 feet of the Subject property. The terms of the lease are such that the 200 Washington Avenue Limited Partnership leases 96 spaces from the Petitioner and may only use said spaces from 8:00 AM through 6:00 PM, Monday thru Friday. Mr. Young testified that during the day the Petitioner generally uses no more than 3 spaces, which are reserved for the Commander, the rental agent, and the custodian. Mr.

> FROM THE OFFICE OF GEORGE WILLIAM STEPHENS, JR., & ASSOCIATES, INC.

> > PO. BOX 6628, TOWSON, MARYLAND 21204

Beginning for the same at a point distant South 52° 37° 59" West 157's from

the centerline intersection of Washington Avenue and Towsontown Boulevard and running

3) South 78° 07' 50" East 113.86" to a point on the west side of York Road,

4) South 12° 12' 10" West 50' thence leaving York Road and running thence the 12

Description to Accompany

thence the three following courses, viz:

following courses, viz:

1) North 78° 26' 32" East 659.04'

5) North 78° 07' 50" West 62.53'

6) South 83° 01' 10" West 32.26'

7) South 12° 12' 10" West 91.80'

9) South 11° 24' 10" West 170.26'

· 10) South 84° 22' 10" West 399.07'

11) North 45° 03' 25° East 11.22'

12) North 46° 41' 06" West 109.91'

13) North 36° 29° 20" West 95.94°

14) North 46° 57' 05" West 95.94'

Containing 4.617 acrest.

15) North 22° 18' 22" East 77.99' and

(THIS DESCRIPTION IS INTENDED FOR ZONING PURPOSES ONLY)

16) North 58° 25° 07" East 2.48' to the place of beginning.

8) North 77° 27' 50" West 20'

2) South 11° 52' 10" West 78.33' and

running thence and binding on the west side of York Road

Zoning Petition for Parking Variance 4.617 Acrest.

Young further testified that in the past on occasion, additional spaces were used when the hall was rented out during the day to various groups. Mr. Young testified that the Petitioner does not intend to rent the building out to large groups in light of entering into the parking lease. He indicated that additional spaces could be added; however, due to the lack of use of existing spaces, the Petitioner argued that being required to blacktop additional surface area for the spaces would create an unnecessary and unreasonable hardship. Mr. Guckert testified that in his opinion the parking spaces presently provided are more than adequate for the use of the property by the Petitioner, taking into consi-

The Petitioner seeks relief from Section 409.2. pursuant to Section 50/

regulations would cause practical difficulty to the Petitioner and his property.

It is clear from the testimony that if the variance was granted, such juse as proposed would not be contrary to the spirit of the B.C.Z.R. and would

lear that a practical difficulty or unreasonable hardship would result if the ariance was not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested

deration the parking lease.

of the Baltimore County Zoning Regulations (B.C.Z.R.).

An area variance may be granted where strict application of the zoning <u>McLean v. Soley</u>, 270 Md. 208 (1973).

not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is

in the Petition for Variance should be granted.

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

Dennis F. Rasmussen

John B. Howard, Esq.

Ret Case number: 88-273-4 W/S of York Road 285' t S of c/1 of Towsontown Blvd. (200 Towsontown Blvd.) 9th Election District - 4th Councilmanic District American Legion Towson Post - Petitioner

Please be advised that is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign from the property from the time it is posted by this office until the day of the hearing itself.

Zoning Commissioner of Baltimore County

County this day of January, 1988 that a total of 77 parking spaces in lieu of the required 147 spaces, in accordance with Petitioner's Exhibit 1, be approved and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions: 1) The Petitioner shall not enter into any parking lease

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore

agreement to lease spaces on the subject property for use after 6:00 PM on any weekday or for use at any time on week-

2) The Petitioner shall not permit the use of its building on the subject property between the hours of 8:00 AM and 6:00 PM any weekday wherein such use would require parking for greater than the remaining 77 spaces available after deduction of the 96 spaces leased to the 200 Washington Avenue Limited Partnership.

3) The Petitioner shall not enter into any additional lease agreements for parking spaces other than the current lease with the 200 Washington Avenue Limited Partnership for

4) The variance granted herein is limited to the Petitioner's ownership of the subject property and the Petitioner's compliance with the restrictions set forth herein. In the event the property is transferred to another owner and/or any of the restrictions set forth in paragraphs 1 through 4 are violated, the variance shall be rescinded.

> land M. Non-ten und ANN M. NACTAROWICZ Deputy Zoning Commissioner of Baltimore County

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified below in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as Yollows:

Case number: 88-273-A W/S of York Road 285' S of c/l of Towsontown Blvd. (200 Towsontown Blvd.) 9th Election District - 4th Councilmanic District American Legion Towson Post - Petitioner DATE/TIME: Monday, January 25, 1988

Variance to permit a total of 77 parking spaces in lieu of the required 147 spaces at the American Legion Towson Post (96 spaces are leased in connection with the adjacent 200 Towsentowne Blvd. office project)

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

ROBERT HAINES BALTIMORE COUNTY, MARYLAND ning Commissioner of OFFICE OF FINANCE - REVENUE DIVISION Atimore County

MISCELLANEOUS CASH RECEIPT

August 24, 1987

J. Robert Haines

210 Allegheny Avenue P. O. Box 5517 Towson, Maryland 21204

Dear Wr. Howard:

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING ON THE ORDER SHALL NOT BE ISSUED

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

W/S of York Rd. 285' S of C/L of Towsontown Blvd. (200 Towsontown Blvd.), 9th District

AMERICAN LEGION TOWSON POST,

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or

> Phyllis Cole Friedman People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, Maryland 21204

I HEREBY CERTIFY that on this 18th day of December, 1987, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., P. O. Box 5517, Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman

John B. Howard, Esquire 210 Allegheny Avenue, P.O. Box : Towson, Maryland : 21204

W/S of York Boad, 285 +/- of the c/l of Towsontown Boulevard [[200 Towsontown Boulevard] 9th Blection District; 4th Councilsanic District Case No. 86-273-A Dear Hr. Hovards

Enclosed please find the decision rendered in the above-referenced case.

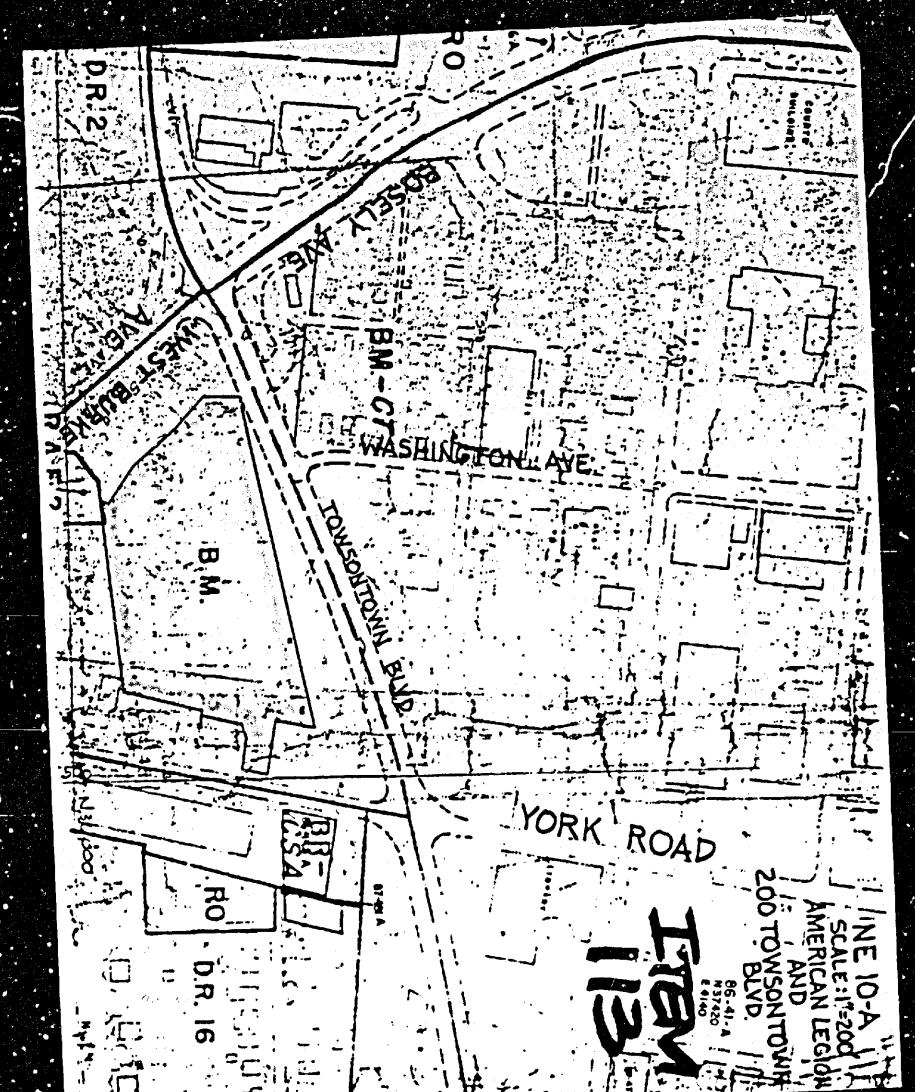
The Petition for Zoning Variance has been Granted, aubject to the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that may party may file am appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office and appeal of the county Board of the

Deputy Zoning Comissioner

200 Washington Avenue Limited Partnership 111 Water Street, Baltimore, Md. 21202

- People's Counsel



NOTICE OF HEARING The Zoring Com will hold a public freming ton the property Identified logice in Funda 196 of the County (Alco Building, located at 111 W. Chosepashe: Avenue in Towers, Maryland as fol-Case member: 80-273-A 205 at 8 of Towerstown Strain (200 Towerstown Sen Election (Netrict - 44 Councilments Charlet Tower Post - Pettoner - Date/Time: Monday January 25, 1988 total of 77 perlying space in tech of the required 147 spaces at the American Legion Treson Post (96 tice project) Puttion is granted, a building permit may be leaved within the Surry (30) day appeal period. The Zoning Commissioner will, how-ever, entertain any request for a "tay of the leavence of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above d recented at the hearing. J. Robert Heimel Zoning Commissions of Baltimore Count

THIS IS TO CERTIFY, that the annexed advertisement of

NOTICE OF HEARING

was inserted in the following: Catonsville Times Arbutus Times ☐ Reporter Weekly

weekly newspapers published in Baltimore County, Maryland once a week for successive weeks before the day of 19 se, that is to say, the same was inserted in the issues of

PETITIONER(S) SIGN-IN SHEET

210 Alleghenes the 212ay 111 Warke St Fallo 21202 J STRONG SMITH 303 ACCEPTEDY AUEZIZOR WES GUCKERT 4145. Joffa Ro. 21204 John E. Young 3 Pickett Gaith Loth. 21093

January 12, 1988

John B. Howard, Esquire 210 Allegheny Avenue P.O. Box 5517

Bureau of Department of Traffic Engineering State Roads Commission Bureau of Fire Prevention Health Department Project Planning Building Department Board of Education

Zoning Administration

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Towson, Maryland 21204

RE: Item No. 113 - Case No. 88-273-A Petitioner: American Legion Towson Post Petition for Zoning Variance

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> Very truly yours, anes E. Dyen/KRB JAMES E. DYER Chairman Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: G.W. Stephens, Jr. & Associates, Inc. 303 Allegheny Avenue Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines TO Zoning Commissioner December 9, 1987 Norman E. Gerber, AICP

PROM Director of Planning and Zoning Zoning Petitions No. 88-273-A, 88,276-A, SUBJECT88-277-A, 88,278-A, 88,279-A, 88-280-A

There are no comprehensive planning factors requiring comment on this petition.

> Norman E. Gerber, AICP Director

NEG:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel



Richard H. Trainor Hal Kassoff

October 7, 1987

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Att: Mr. James Dyer

Re: ZAC Meeting of 10-6-87 ITEM: #113. Property Owner: American Legion
Towson Post #22. Inc.
Location: W/S York Road. Route 45
285 feet S. of Towsontown Blvd.
Existing Zoning: B.M.
Proposed Zoning: Variance to permit
a total of 77 parking spaces in lieu
of the required 147 spaces
Area: 4.617 acres
District: 9th Election District

Dear Mr. Haines:

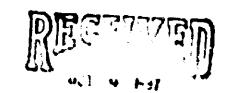
On review of the submittal for variance of parking spaces, the State Highway Administration - Bureau of Enginering Access Permits finds all access to the site generally acceptable.

On the day of inspection 27 vehicles were parked at the American Legion Post #22. Very truly yours.

Creston J. Mills, Jr. Acting Chief Bureau of Engineering Access Permits

CJM: GW: maw

By: George Wittman



ZONING CFFICE

My relephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech 383-7555 Baitimore Metro - 565-0451 D.C. Metre - 1-500-492-5062 Statewide Toll Free 201 North Calvert St., Baitimore, Maryland 21203-0717

District 9 the	Date of Posting January 5-1988
Posted for: Danance Petitioner: American Legion Jani Location of property: W/S of York Pd., 185 S (200 Journation Block)	sen Post of e/L Towsontour Blods
Location of Signe West Side of York Rd: Co Townson town Blad; at entrance	apsol: 250'Southe of
	Date of return: January 8. 1988.

18-273-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this 3rd day of November , 1987.

American Legion Towson Post Received by:

Petitioner's

John B. Howard, Esquire

James E. Dyer Chairman, Zoning Plans Advisory Committee

Baltimore County Fire Department Towson, Mar. 201 21204 2586 494-4500

Paul H. Reincke

October 16, 1987

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



Re: Property Owner: American Legion Towson Post #22, Inc. Location: W/S York Road, 285' +- S of Towsontown Blvd.

Item No.: 113

Zoning Agenda: Meeting of 10/6/87

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department
- () 2. A recond means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at ___ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Pro-tection Association Standard No. 101 "Life Safety Code," 1976 edition
- () 6. Site plans are approved, as drawn.
- (x) 7. The Fire Prevention Bureau has no comments at this time.

Special Inspection Division

Fire Prevention Bureau

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554

Zoning Commissioner County Office Building

Towson, Maryland 21204

October 16, 1987



Item No. 113 Property Owner: Location:

Existing Zoning: Proposed Zoning:

Area: Clstrict: Meeting of October 6, 1987 American Legion Towson Post #22, Inc. W/S York Road, 265 Feet: S of Towsontown Blvd. Variance to permit a total of 77

parking spaces in lieu of the required 147 spaces 4.617 acres 9th Election District

Dear Zoning Commissioner:

The Towson area is an area with a parking shortage at this time and the requested variance can only add to the shortage.

Access to this site is subject to the State Highway Administration's approval.

Very truly yours,

Micheal S. Flanigan Tratfic Engineer

MSF:sb

